

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Applicant appreciates the allowance of claims 1-14, 18-21, 23 and 24.

Claims 15-17 and 22 stand rejected under 35 U.S.C. §101 as being allegedly directed to non-statutory subject matter. Applicant respectfully traverses this rejection.

The Examiner has rejected claims 15, 16 and 22 for lacking the program product code as being stored on a computer readable medium. According to the Examiner's assertion, the specification does not teach a computer readable medium. Applicant respectfully disagrees with the Examiner's assertions as to lack of teachings regarding a computer readable medium in the specification of the present invention. The Examiner is specifically directed to page 5, paragraph [0024] of the present specification, which discloses "the sender device 10 can be a server, IP-based device, DVB device, GPRS (or UMTS) device or similar device ..." Servers are well known to those skilled in the area of computer science as including one or more connected computers. In fact, the on-line computer dictionary (URL: <<http://www.computer-dictionary-online.org/>>) defines a 'server' as "a computer which provides some service for other computers connected to it via a network." Applicant's specification, on page 12, paragraph [0046], further teaches that the sender device 10, which can be, for example, a network server, can include an internal memory 11, a processor 12, an operating system 13, application programs 14, a network interface 15, a transmission and repair mechanism 16, and a data storage 17. The present specification, further teaches, on page 14, paragraph [0047], that a computer program product can be stored in sender device 10. Since the sender device is clearly described as including internal memory and data storage, the specification of the present invention clearly teaches the presence of a tangible, machine-readable memory in the sender device that is capable of storing a computer code, as recited in claims 15, 16, and 22.

As to the receiving device, Applicant's specification, on page 11, paragraph [0045], indicates that the receiver 20 can include an internal memory, a processor, 22, an operating

system 23, application programs 24, a network interface 25, and a NACK and repair mechanism 26. These components, similar to the components of the sender device described above, all represent common components of at least a general computing device. Consequently, one of ordinary skill in the art would clearly understand from Applicant's disclosure a computer program product comprising program code stored in the receiver device (page 14, paragraph [0047]) as including the storage of a program code on a tangible, computer-readable memory in the receiver device.

Accordingly, claims 15, 16 and 22 are indeed directed to patentable subject matter.

As to the dependent claim 17, this claim depends directly from allowable claim 15, and is therefore patentable for at least that reason, as well as for additional patentable features when this claim is considered as a whole.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for

such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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